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INTERNATIONAL ORGANIZATIONS AND MULTILATERAL INSTITUTIONS AND INSTRUMENTS, INCLUDING APPROPRIATE LEGAL MECHANISMS

Programme element V.1

Report of the Secretary-General

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INTRODUCTION

1. This document reports on the progress of the preparatory work on the first programme element of Category V, "International organizations and multilateral institutions and instruments, including appropriate legal mechanisms" (V.1), of the work programme of the Ad Hoc Intergovernmental Panel on Forests. It includes a general overview of the issue, a short update of the current status, followed by a description of the range of considerations involved in preparing for the substantive discussion of this programme element at the third session of the Panel.

2. The work under programme element V.1 is guided by the decisions taken at the third session of the Commission on Sustainable Development and further elaborated at the first session of the Panel.

3. The Commission defined programme element V.1 as a need to develop a clearer view of the work being carried out by international organizations and multilateral institutions and under existing instruments as appropriate, including the conventions on biodiversity, desertification, climate change, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the International Tropical Timber Agreement (ITTA), in forest-related issues, including United Nations Conference on Environment and Development (UNCED) decisions related to forests and the institutional linkages emanating therefrom, in order to identify any gaps, areas requiring enhancement, as well as any areas of duplication. 1/

4. Subsequently, the Panel, at its first session, emphasized the need for preparation of a report "presenting an overview and description of existing institutions and instruments, including their role and mandates vis-à-vis programme elements I-IV ..., and identifying institutional linkages, gaps, areas requiring enhancement, and any areas of duplication". 2/ It was also decided to schedule programme element V.1 for substantive discussion at the third session, to be held, provisionally, in Geneva from 2 to 13 September 1996.

I. GENERAL OVERVIEW

A. Objective

5. The objective of this programme element is to develop a clearer appreciation and assessment of how the mandates, roles, and work carried out under the following two principal categories, contribute to meeting forest-related commitments made at UNCED, as well as how they relate to the concerns and issues included in programme elements I-IV of the work programme of the Panel:

(a) International organizations and multilateral institutions;

(b) Existing international instruments, relevant to forests.

6. The assessments of activities under these two categories would provide the basis for:

(a) Evaluation of their role, mandates and activities;

(b) Identification of effective institutional linkages, as well as gaps, areas requiring enhancement, and any areas of duplication;

(c) On the basis of (a) and (b) above, proposals for options and opportunities to mobilize comparative strengths, expertise and resources of institutions and instruments to address priority issues related to all types of forests at local, national, regional and global levels.

7. This analytical process will also be influenced by the deliberations of the Panel on each of the programme elements I-IV, in particular, when addressing institutional linkages and other appropriate institutional arrangements necessary to address the programme elements.

B. Context

8. Forest-related issues have received an increasing amount of attention by decision makers and the general public during the past 10 years. The emergence of the notion of sustainable development as well as a more widespread public awareness and understanding of this concept have placed natural resources conservation and utilization high on the agenda. Divergent views on this topic precipitated intense and, at times, very polarized debates during the preparatory process towards UNCED, and during and following the Conference itself. Deliberations on the conservation and utilization of all types of forests intensified and their scope was broadened remarkably during the UNCED process: international debate on forests now includes all types of forests and is not focused only on the tropical rain forest, which initially caught the attention of the world community. It also encompasses the multiple benefits and values provided by forests. Two significant forest-related decisions were made at UNCED; the so-called Forest Principles and chapter 11 of Agenda 21, "Combating Deforestation". These agreements have since provided a framework for guiding the forest-related activities of international organizations and multilateral institutions. Several legal instruments with relevance to forest, such as the Convention on Biological Diversity, the Convention on Desertification and Drought and the Convention on Climate Change were also important outcomes of UNCED.

9. An assessment of the roles, mandates and activities of international organizations, multilateral institutions and instruments under existing agreements must take into consideration the relatively fast-changing perspectives on forests. During the past 10 years, these organizations have had to adjust to a significant shift in how forests are viewed and in the approaches towards their management. Sustainable forest management has emerged as a result of a much wider appreciation of the multiple services and benefits provided by forest ecosystems. Forests are no longer viewed simply as producers of wood or as occupying idle land that could be put to better use. The scope and scale of the role of forests in providing diverse socio-economic, environmental,

industrial and cultural benefits at local, national, regional as well as global levels are now better recognized, and involve many international and regional institutions and instruments.

10. In many developing countries, forests meet the basic needs for human subsistence at the local and national levels. For countries richly endowed with forests, they provide an important vehicle for economic development, a basis for processing industry, employment opportunities and a source of foreign exchange through international trade.

11. At the regional level, the role of forests may extend beyond national boundaries. The watershed of most international rivers are forested, and human intervention of these watershed forests may have consequences on water and soil conservation regimes downstream. Ecoregions seldom follow political borders, consequently many conservation efforts, in the form of protected areas, have benefited from bilateral and multilateral regional collaboration. Forests are often the habitat of species that migrate across national boundaries and their protection requires multilateral cooperation.

12. At the international and global levels, while forests, on the one hand, have been subjected to transboundary stresses they also play a broader, global ecological role. These transboundary and global dimensions include the effects of transboundary pollution and the role of forests in global ecological cycles, such as the carbon cycle and climate change. International trade in forest products, also an international concern, has been the focus of attention of many international and regional institutions.

13. The evolving perspectives and approaches towards sustainable forest management covering local, national, regional and global levels have and will continue to require the mobilization of resources and expertise of several international and regional organizations. These organizations, as a group, have had to broaden their scope to include a whole new set of issues requiring a wide array of action at different geographical levels. Accordingly, the need to review the mandates, roles and activities of international institutions often appears as a major recommendation in many forest-related deliberations.

II. CURRENT STATUS

14. The activities and mandates of many institutions involved in forest-related issues have changed over the years in response to evolving perspectives on overall development. The importance of forests to environmentally sound socio-economic development, as well as the growing awareness of the complexity and the strong cross-sectoral linkages, underline the need to review the role of the relevant organizations and identify their comparative strengths and potential for cooperation. Reinforcing some of the existing and to some extent emerging partnership arrangements will be increasingly necessary in order to strengthen linkages and to make effective use of resources to address complex national, regional and global scale issues. The deliberations of the Panel could provide a clear priority agenda, agreed intergovernmentally, on forests. This priority agenda would provide the necessary framework for international

organizations, both within and outside the United Nations system, to efficiently align their expertise and financial resources.

United Nations organizations

15. The organizations within the United Nations system have their own specific mandates and consequently their approaches to issues related to forests are based on their distinctive perspectives. Their mandates are established and modified by their governing bodies, constituted of government representatives coming from a range of sectoral ministries. The Forest Principles and chapter 11 of Agenda 21, are the agreed common priority United Nations agenda on forests. Establishment of the Panel provides an opportunity to develop further a coordinated response by the United Nations and other institutions. The following United Nations organizations are engaged in forest-related activities:

Food and Agriculture Organization of the United Nations

United Nations Environment Programme

United Nations Development Programme

United Nations Industrial Development Organization

United Nations Educational, Scientific and Cultural Organization

The World Bank

World Food Programme

World Health Organization

International Fund for Agricultural Development

Other international organizations and institutions

16. In addition to the United Nations system, other multilateral and regional intergovernmental organizations and research institutions and non-governmental organizations and institutions commonly referred to as international, are involved in forest issues from different sectoral points of view. Their activities and areas of interest include research, manufacturing, business, conservation, development, trade etc. The following is a partial listing of such organizations:

International organizations

International Tropical Timber Organization (ITTO)

Regional development banks

Research institutions

Centre for International Forestry Research (CIFOR)

International Centre for Research in Agroforestry (ICRAF)

International Union of Forestry Research Organization (IUFRO)

Non-governmental organizations

Forest Stewardship Council (FSC)

Global Forest Policy Project (GFPP)

Greenpeace International

International Institute for Environment and Development (IIED)

World Commission on Forests and Sustainable Development (WCFSD)

World Conservation Union (IUCN)

World Resources Institute (WRI)

World Wide Fund (WWF)

Existing legal instruments

17. Many international legal agreements, such as the conventions on biological diversity, desertification, climate change, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the International Tropical Timber Agreement (ITTA), have been negotiated to address particular issues and interests. Many of these agreements are relevant to forests and have an impact on sustainable management of forests as well as international trade in forest products. However, they are not necessarily interrelated, which results in a rather fragmented approach to the conservation, management and sustainable development of forests, when it comes to implementation. Institutional arrangements have also been made to support and service these conventions and legal instruments. In addition there are several regional agreements that have relevance to forests.

Existing reviews

18. There have been few attempts in the past to chart institutional linkages in the context of forest-related issues. Since UNCED, some of the international initiatives, for example the Canada/Malaysia Initiative, have prepared documentation and proposed options for action to address the concerns relating to international institutional structures. 3/ An independent assessment of the work of international organizations has been called for, and there are several examples of analyses made by non-governmental organizations. For example, international legal arrangements regarding forests have been reviewed in a discussion paper prepared by the Environmental Law Centre of the World

Conservation Union (IUCN), which includes some discussion of the activities under them as well as under a few international organizations. 4/ A report of the Secretary-General (E/CN.17/1995/3) to the Commission at its third session reviewed the response of the United Nations system to chapter 11 of Agenda 21, "Combating Deforestation", as well as the Forest Principles.

III. APPROACHES

Inter-agency Task Force on Forests

19. The decision at the third session of the Commission to establish the Panel also called for drawing upon the resources and technical expertise of relevant organizations. In response, an informal group was formed to coordinate the preparatory work associated with the tasks ahead and to ensure mobilization of the organizations' expertise and resources. The organizations involved in this informal group, referred to as the Inter-Agency Task Force on Forests, include: the Division for Sustainable Development in the Department for Policy Coordination and Sustainable Development of the United Nations Secretariat; United Nations Environment Programme (UNEP); United Nations Development Programme (UNDP); Food and Agriculture Organization of the United Nations (FAO); World Bank; International Tropical Timber Organization (ITTO); and the secretariat to the Convention on Biological Diversity. The first meeting of the informal Task Force, held in July 1995, resulted in the initial designation of lead agencies, and agencies providing active input, towards the preparations for each of the programme elements (see table). This cooperative approach is modelled after the Inter-Agency Committee on Sustainable Development (IACSD), where task managers are identified to lead particular issues. The secretariat of the Panel was designated as lead for programme element V.1. In addition CIFOR is making valuable contributions to the preparatory process for meetings of the Panel. The FAO continues to be the task manager for reporting on chapter 11 of Agenda 21 and the Forest Principles, under the arrangements established by IACSD.

Table. Contribution of the Inter-agency Task Force on Forests to programme of work of the Panel

Programme element	Lead agencies Agencies providing active input
I.1	FAO UNDP/ITTO/UNEP/World Bank/Convention on Biological Diversity
I.2	UNDP FAO/World Bank
I.3	Convention on Biological Diversity FAO/World Bank

Programme element	Lead agencies Agencies providing active input
I.4	FAO UNDP/FAO/World Bank/UNEP
I.5	UNEP World Bank
II	UNDP FAO/World Bank/ITTO/UNEP/Convention on Biological Diversity/Division for Sustainable Development, Department for Policy Coordination and Sustainable Development
III.1	Assessment FAO UNEP Valuation World Bank UNEP/FAO
III.2	FAO UNEP/ITTO
IV	ITTO UNEP/FAO
V.1	Secretariat of the Panel UNEP/FAO/UNDP/ITTO/Convention on Biological Diversity/World Bank

Swiss/Peruvian initiative

20. During the first session of the Intergovernmental Panel on Forests, Switzerland and Peru made a joint proposal to co-sponsor a "Study on the work of international organizations, multilateral institutions and instruments in the forest sector" in support of this particular programme element. The study is intended to examine the forest-related activities undertaken by various institutions and under existing international instruments, identify gaps and areas requiring enhancement, as well as any areas of duplication, in accordance with programme element V.1 of the programme of work of the Panel. This initiative includes the establishment of an independent, internationally recognized group of experts, which would be given the task of elaborating a study on the work carried out by international organizations, multilateral institutions and under existing legal instruments related to forest issues. This expert group would consist of three representatives each from the five regional groups and three representatives from non-governmental organizations. The expert group is headed by two co-chairs, one from Switzerland and one from Peru. The expert group will hold its first meeting during 5-8 March 1996, in Geneva. The expert group will submit a progress report to the Panel at its second session, 11-22 March 1996. A second meeting of the expert group will be held in the early summer of 1996, followed by regional consultations on the preliminary results of the expert group's deliberations. A final report will be

prepared prior to the third session of the Panel, scheduled for 2-13 September 1996.

IV. PREPARATIONS FOR SUBSTANTIVE DISCUSSION

21. For the third session of the Panel, the Secretary-General will prepare a report on this programme element presenting an overview and description of existing institutions and instruments, including their role and mandates vis-à-vis programme elements I-IV above, and identifying institutional linkages and cooperation, gaps and areas requiring enhancement, as well as areas of duplication. To the extent possible and within the available time-frame, the report will take into account emerging institutional arrangements as well as government sponsored initiatives under way in support of this programme element. The report will also take into consideration proposals on institutional aspects that would emerge from discussions under any of the programme elements I.1-IV.

V. PROPOSALS FOR ACTION

22. The Panel may wish to take note of the present progress report at its second session and provide further guidance on the preparations of the report for substantive discussion at its third session.

Notes

1/ Official Records of the Economic and Social Council, 1995, Supplement No. 12 (E/1995/32), chap. I, sect. D, annex I, programme element V.1.

2/ E/CN.17/IPF/1996/3, para. 18, programme element V.1.

3/ "Institutional linkages", final reports and background papers prepared for the second meeting of the Intergovernmental Working Group on Forests (IWGF) (Ottawa, Canadian Forest Service, 1994).

4/ "Developing the current international forest regime: some legal and policy issues", discussion paper, IUCN Environmental Law Centre (Bonn, Germany, September 1995).